C-13-15(ECF)
(Rev. 3/04)

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

In Re: Milton Cummings, Jr.	)	**MOTION**
Donna Fay Cummings	)	**CHAPTER 13**
	)	
	)	No. B-08-80783 C-13D
	)	
Debtors	)	

The undersigned Standing Trustee respectfully moves the Court for a hearing on the following:

The Debtors' last full payment was for May, 2009. The Standing Trustee's office has contacted the Debtors regarding the delinquent payments, and the Debtors have not responded.

The Standing Trustee respectfully recommends to the Court that the Debtors be dismissed from the Plan for nonpayment.

Date: August 10, 2009
RMH:ltp

s/Richard M. Hutson, II
Standing Trustee

NOTICE TO INTERESTED PARTIES OF HEARING ON MOTION

You are notified that the foregoing matter will be heard before this Court at the Courtroom, first floor, Durham Centre Building, 300 West Morgan Street, Durham, NC, on **September 24, 2009**, at 12:00 p.m.; at which time you may appear and offer your evidence. If you fail to appear, the motion may be taken as true and an Order entered accordingly.

Date: August 10, 2009

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED
B-08-80783 C-13D

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